

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffery P. Erickson

Serial No.: 10/505,191

Filed: 06/24/2005

Entitled: **Anticancer Compounds And Methods**

Art Unit: 1632

Examiner: Sgagias, M.

**SECOND DECLARATION OF DR. THOMAS WHEELER
UNDER 37 CFR § 1.132**

Mail Stop –Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Examiner Sgagias:

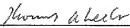
I, Thomas Wheeler, Ph.D. under penalty of perjury, state that:

1. I am an employee of AgResearch, Ruakura Research Centre, Hamilton, New Zealand. I am considered an expert in the field of salivary proteins of farm animals, in particular bovine animals.
2. I first identified and sequenced the bovine salivary gland protein (bSP) gene and protein in the mid-1990's and identified two versions of the bSP30 gene each comprising an independent promoter, bSP30A and bSP30B (See, previous Declaration submitted regarding the application).

3. To my knowledge, the bSP30A and bSP30B promoters were the only bovine salivary gland protein promoters publicly available as of February 20, 2002.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Dated: November 20, 2009



Dr. Thomas Wheeler